

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:18-cr-00146-MR-WCM**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
TANNER MOREN EAGLE LARCH,)	
)	
Defendant.)	
<hr style="width:45%; margin-left:0"/>)	

THIS MATTER is before the Court on the Government's Motion to Extend Time to Respond to Defendant's Motion for New Trial [Doc. 89].

On January 21, 2020, the Defendant filed two post-trial motions: a Motion for New Trial [Doc. 85] and a Renewed Motion for Acquittal [Doc. 87]. The Motion for New Trial was accompanied by a brief [Doc. 86]; the Renewed Motion for Acquittal was not. Instead, the Defendant's counsel moved to suspend the briefing of the Motion for Acquittal until such time as the trial transcript was prepared. [Doc. 87]. On January 22, 2020, the Court denied the Defendant's motion to suspend briefing and gave the Defendant until February 4, 2020 to file his brief in support of the Motion for Acquittal. The Government was given until February 11, 2020 to respond to that Motion. [See Text-Only Order entered Jan. 22, 2020]. Because the Motion

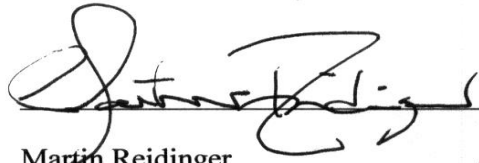
for New Trial was fully briefed, this extension of time was not applicable to the Motion for New Trial. In accordance with Local Criminal Rule 47.1(e), the deadline for the filing of the Government's response to the Motion for New Trial was January 28, 2020. This deadline was reflected in the docket entry for the Defendant's Motion for New Trial. [See Doc. 85].

On February 3, 2020, the Government filed the present motion, seeking an extension of time until February 7, 2020, to file a response to the Defendant's Motion for New Trial. [Doc. 89]. The Government's motion appears to be based on the misapprehension that the response was not due until February 4, 2020, when in fact the deadline for the filing of that response was January 28, 2020. This oversight does not appear to have prejudiced the Defendant in any way, however, as both parties are still briefing these post-trial motions. Therefore, in the interests of justice, the Court will grant the requested extension.

IT IS, THEREFORE, ORDERED that the Government's Motion to Extend Time to Respond to Defendant's Motion for New Trial [Doc. 89] is **GRANTED**, and the Government shall have through and including **February 7, 2020** to respond to the Defendant's Motion for New Trial.

Signed: February 4, 2020

IT IS SO ORDERED.


Martin Reidinger
United States District Judge

